
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Wilks License Company – Lubbock LLC)	File No. EB-10-DL-0019
Licensee of Radio Stations KONE and KMMX)	
Facility ID #s 26519 and 86)	NOV No. V201032500003
Lubbock and Tahoka, Texas)	
)	

NOTICE OF VIOLATION

Released: 4/14/2010

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules (“Rules”)¹ to Wilks License Company – Lubbock LLC (Wilks), licensee of radio stations KONE and KMMX in Lubbock and Tahoka, Texas.
2. On February 24, 2010, an agent of the Commission’s Dallas Office inspected/monitored radio stations KONE and KMMX, located near Lubbock, Texas, and observed the following violation(s):
 - a. 47 C.F.R. § 73.317(c): “Any emission appearing on a frequency removed from the carrier by more than 240 kHz and up to and including 600 kHz must be attenuated at least 35 dB below the level of the unmodulated carrier.” At the time of the inspection, the spectrum sample from radio station KONE, 101.1 MHz, had spurious emissions from 100.5 MHz to 100.7 MHz and from 101.4 MHz to 101.6 MHz which were not attenuated as required.
 - b. 47 C.F.R. § 73.317(d): Any emission appearing on a frequency removed from the carrier by more than 600 kHz must be attenuated at least $43 + 10 \log_{10}(\text{Power, in watts})$ dB below the level of the unmodulated carrier, or 80 dB, whichever is the lesser attenuation.” At the time of the inspection, the spectrum sample from radio station KONE, 101.1 MHz, had spurious emissions from 97.2 MHz to 100.5 MHz, from 101.6 MHz to 104.8 MHz and 108.6 MHz which were not attenuated as required. At the time of the inspection, the spectrum sample from radio station KMMX, 100.3 MHz had spurious emissions from 98.6 MHz to 99.7 MHz which

¹ 47 C.F.R. § 1.89.

Federal Communications Commission

were not attenuated as required. The spurious signals in KMMX were caused by strong signals feeding back to the KMMX transmitter from the combiner with KONE.

3. On February 24, 2010, at the time of the inspection, radio station KONE had a spurious inter-modulation product emission on 108.6 MHz. The inter-modulation product included audio from 101.1 MHz, and 100.3 MHz. The modulation from the 108.6 MHz inter-modulation produced varying signal levels on the Lubbock Preston Smith International Airport Instrument Landing System (ILS) channel 109.5 MHz. The signals on the ILS channel were observed at the transmitter site as high as 10 dB above the channel noise floor. These signals appear to be the cause of one of the reports which placed the ILS out of service, specifically a report of disruption in the ILS at fifteen miles south of the airport runway, and required corrective action by the station.² Radio station KONE's transmitter site is approximately 2.9 miles west of the center line point, which is fourteen miles south of the Lubbock Preston Smith International Airport runway. Station KONE's engineer adjusted the transmitter removing the spurious emission on 108.6 MHz,
4. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, Wilks License Company – Lubbock LLC, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must also fully explain the steps it is taking to ensure that spurious emissions do not interfere with Instrument Landing Equipment, utilizing frequencies between 108.0 MHz and 118.0 MHz, onboard aircraft passing within two miles of its transmitter site. The response must be complete in itself and signed by a principal or officer of the licensee. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Dallas Office
9330 LBJ Freeway, Suite 1170
Dallas, Texas 75243

5. This Notice shall be sent to Wilks License Company – Lubbock LLC at its address of record.
6. The Privacy Act of 1974⁴ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any

² See 47 U.S.C. § 73.1350(e) (requiring a broadcast station, operating in a manner likely to significantly disrupt operation of other stations or pose a threat to life or property, to terminate operation within three minutes unless antenna input power is reduced sufficiently to eliminate any excess radiation).

³ 47 U.S.C. § 308(b).

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

Federal Communications Commission

false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁵

FEDERAL COMMUNICATIONS COMMISSION

James D. Wells
District Director
Dallas District Office
South Central Region
Enforcement Bureau

⁵ 18 U.S.C. § 1001 *et seq.*